



CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Station AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

June 17, 2003
Date


Mark D. Moore

#25
BP
6-30-03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BARRY J. BYRNE
JAMES E. CONWAY
GARY S. HAYWARD
NICHOLAS MUZYCZKA
SERGEI ZOLOTUKHIN

Group Art Unit: 1636

Examiner: Gerald Leffers, Jr.

Atty. Dkt. No.: 4300.012100

Serial No.: 09/404,448

Filed: September 22, 1999

For: RECOMBINANT HERPES SIMPLEX
VIRAL VECTOR COMPOSITIONS
(as amended)

**REQUEST FOR EXTENSION OF TIME TO RESPOND TO
FINAL OFFICE ACTION DATED DECEMBER 17, 2002**

Mail Station AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of three months to and including June 17, 2003, in which to respond to the Final Office Action dated December 17, 2002.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$625.00 is enclosed which includes the process fee (\$465) for the three month extension of time.

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02 FC:2253

465.00 OP

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4300.012100.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

Date: June 17, 2003



23720

PATENT TRADEMARK OFFICE

A handwritten signature in black ink, appearing to read "Mark D. Moore", written over a horizontal line.

Mark D. Moore, Ph.D.
Reg. No. 42,903
WILLIAMS, MORGAN & AMERSON
10333 Richmond Dr., Suite 1100
Houston, Texas 77042
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS